

AMENDED IN ASSEMBLY MAY 1, 1997  
AMENDED IN ASSEMBLY APRIL 17, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

## ASSEMBLY BILL

**No. 515**

**Introduced by Assembly Member Ashburn**

February 24, 1997

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An act to add Sections 4502.1, 4502.2, ~~4502.3, and 4502.4~~ and 4502.3 to the Business and Professions Code, relating to psychiatric technicians.

### LEGISLATIVE COUNSEL'S DIGEST

AB 515, as amended, Ashburn. Psychiatric technicians.

Existing law, the "Psychiatric Technicians Law," provides for the licensure and regulation of psychiatric technicians and defines a psychiatric technician as any person who, for compensation or personal profit, implements procedures and techniques that involve understanding of cause and effect and that are used in the care, treatment, and rehabilitation of mentally ill, emotionally disturbed, or mentally retarded persons and who has certain defined responsibilities. A violation of this law is a misdemeanor.

This bill would authorize a psychiatric technician, when directed by a physician and surgeon, to perform various activities related to administering medications by hypodermic injection, withdrawing blood ~~or starting and superimposing intravenous fluids~~ while working in a mental health facility or developmental disability center with respect

to patients with a mental illness or developmental disability, and the administration of skin tests and immunizations. The bill would require a supervising physician under whose direction a psychiatric technician is acting in performing skin tests and immunizations to require the psychiatric technician to comply with certain requirements. Because the bill would create a new crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 4502.1 is added to the Business  
2 and Professions Code, to read:

3 4502.1. A psychiatric technician, *working in a mental*  
4 *health facility or developmental disability center*, when  
5 directed by a physician and surgeon, may administer  
6 medications by hypodermic injection.

7 SEC. 2. Section 4502.2 is added to the Business and  
8 Professions Code, to read:

9 4502.2. A psychiatric technician, when directed by a  
10 physician and surgeon, may withdraw blood from a  
11 patient with a mental illness or developmental disability  
12 if the psychiatric technician has been instructed by a  
13 physician and surgeon in the proper procedure for  
14 withdrawing blood and has demonstrated competence to  
15 that physician and surgeon or if the psychiatric technician  
16 has completed a prescribed course of instruction  
17 approved by the board or has demonstrated competence  
18 to the satisfaction of the board.

19 SEC. 3. Section 4502.3 is added to the Business and  
20 Professions Code, to read:



1 ~~4502.3. A psychiatric technician, when directed by a~~  
2 ~~physician and surgeon, may start and superimpose~~  
3 ~~intravenous fluids for a patient with a mental illness or~~  
4 ~~developmental disability if both of the following~~  
5 ~~conditions exist:~~

6 ~~(a) The psychiatric technician has satisfactorily~~  
7 ~~completed a prescribed course of instruction approved~~  
8 ~~by the board or has demonstrated competence to the~~  
9 ~~satisfaction of the board.~~

10 ~~(b) The procedure is performed in an organized~~  
11 ~~health care system in accordance with written standing~~  
12 ~~orders or protocols adopted by the organized health care~~  
13 ~~system as formulated by a committee that includes~~  
14 ~~representatives of the medical, nursing, and~~  
15 ~~administrative staffs. The standing orders or protocols~~  
16 ~~shall be in writing and made available to the total medical~~  
17 ~~and nursing staffs.~~

18 ~~(c) As used in this section, "organized health care~~  
19 ~~system" includes any health facility licensed pursuant to~~  
20 ~~Chapter 2 (commencing with Section 1250) of Division~~  
21 ~~2 of the Health and Safety Code, clinics, home health~~  
22 ~~agencies, physicians' offices, and public and community~~  
23 ~~health services.~~

24 ~~SEC. 4. Section 4502.4 is added to the Business and~~  
25 ~~Professions Code, to read:~~

26 ~~4502.4.—~~

27 ~~4502.3. (a) A psychiatric technician, when directed~~  
28 ~~by a physician and surgeon, may perform the following~~  
29 ~~activities:~~

30 ~~(1) Tuberculin, coccidioidin, and histoplasmin skin~~  
31 ~~tests, providing the administration is within the course of~~  
32 ~~a tuberculosis control program.~~

33 ~~(2) Immunization techniques, providing the~~  
34 ~~administration is upon the standing orders of a~~  
35 ~~supervising physician and surgeon or pursuant to written~~  
36 ~~guidelines adopted by a hospital or medical group with~~  
37 ~~whom the supervising physician and surgeon is~~  
38 ~~associated.~~

~~(3) Allergy skin tests, providing a licensed physician and surgeon is present in the immediate area during the administration and observation period.~~

(b) The supervising physician under whose direction the psychiatric technician is acting pursuant to subdivision (a) shall require the psychiatric technician to comply with all of the following requirements:

(1) Satisfactorily demonstrate competence in the administration of the testing or immunization agents, including knowledge of all indications and contraindications for the administration of the agents, and in recognizing and treating any emergency reactions to the agent that constitute a danger to the health or life of the patient.

(2) Possess the medication and equipment that is required, in the medical judgment of the supervising physician and surgeon, to treat any emergency condition and reaction caused by the agents that constitute a danger to the health or life of the patient, and demonstrate the ability to administer the medications and utilize the equipment as necessary.

(c) Except as specified in paragraph (3) of subdivision (a), nothing in this section shall be construed to require the physical presence of a directing or supervising physician and surgeon or the examination of persons to be tested or immunized by that physician and surgeon.

~~SEC. 5.—~~

*SEC. 4.* No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act

1 shall become operative on the same date that the act  
2 takes effect pursuant to the California Constitution.

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